

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- September 13, 1967

Appeal No. 9339 Jeanette R. Trachtenberg, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on September 19, 1967.

ORDERED:

That the appeal for permission to change nonconforming use from antique store to dry cleaning plant pickup station and shoe repair at 6640 Georgia Avenue, NW., lot 808, square 2947, be denied.

FINDINGS OF FACTS:

- [1] The subject property is located in an R-5-B District.
- [2] The property is improved with a one story brick building formerly used as an antique store and vacant since December, 1966.
- [3] It is proposed to operate a dry cleaning plant and pickup store and shoe repair pickup.
- [4] It is proposed to add a boiler room to the existing property to accommodate this plant.
- [5] The proposed business would have from 3 to 5 employees and operate six days a week from 7 a.m. to 7 p.m. There would be no trucks in the business.
- [6] No opposition to the granting of the appeal was registered at the public hearing. The record contains five letters in opposition to the appeal and a petition signed by thirty-five residents of the area who oppose the appeal.

OPINION:

We are of the opinion that this appeal must be denied.

There is substantial neighborhood opposition to the granting of this appeal which would mitigate against the theory that the use is serving the neighborhood in which it is located. The property is fronting on a main street but has single-family residential classification to the rear and within a substantial rea. The proposed will no doubt cause more traffic than an antique shop and thereby be detrimental to the neighborhood. The nonconforming use statute contemplates that such uses will return to a permitted use within the zoning classification, not that nonconforming uses should be made to thrive and prosper.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: James E. Bess
JAMES E. BESS
Secretary of the Board